

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DAVID BILLUPS,  
PLAINTIFF,

-vs-

JAMES McWEENEY, ET AL.,  
DEFENDANTS. /

CASE NO. C-1-01-377  
JUDGE SPIEGEL  
MAGISTRATE JUDGE HOGAN

FILED  
JAMES BONINI  
CLERK

2003 DEC -9 PM 12:34

U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV. CINCINNATI

MOTION FOR RULE 11 EVIDENTIARY HEARING

Plaintiff, David Billups, moves this Court for an Evidentiary Hearing concerning Plaintiff's Rule 11 Motion. Plaintiff further moves this Court to require Defendants to bring the following documents to the Evidentiary Hearing:

1. The complete Administrative Rule and/or Policy which permits the Cashier's Office to hold legal cash slips and process them only on Fridays.
2. All prisoner checks issued for October 1999, November 1999, and December 1999, excluding prisoner's names and numbers other than the Plaintiff.
3. The names of the Cashier whom issued these checks.

Respectfully Submitted,

/s/ David Billups

David Billups  
P.O. Box 7010-211903  
Chillicothe, Ohio 45601

CERTIFICATE OF SERVICE=

I hereby certify a copy of the foregoing has been served to Counsel for Defendants at: Marianne Pressman#0059512, 441 Vine Street, Cincinnati, Ohio 45202 mpressman@ag.state.oh.us this 9th day of December 2003 by regular U.S. Mail.

/s/ David Billups

David Billups